

Re PCT/PTO - 9 SEP 2005

PTO/SE/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number

10/520,904

Filing Date

International Filing Date: November 27, 2002

First Named Inventor

Jalal HAWARI et al

Art Unit

Examiner Name

Attorney Docket Number

PAT 789W-2

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form

☐ Fee Attached

Amendment/Reply

☐ After Final☐ Affidavits/declaration(s)

Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete Application☒ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- providing Declaration and Power of Attorney



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a



Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):- Copy of Notice to File Missing  
Parts

Remarks

Attention: Mail Stop MISSING PARTS

Fax No.: 703-305-3230

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Borden Ladner Gervais LLP

Signature

Printed name

Dennis R. Haszko

Date

September 9, 2005

Reg. No.

39,575

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Dennis R. Haszko

Date

September 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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10/520904 #4  
Rec'd PCT/PTO 09 SEP 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: HAWARI, Jalal; HALASZ, Annamaria; BALAKRISHNAN, Vimal;  
BHUSHAN, Bharat; SPAIN, Jim, C.; ZHAO, Jian-Shen; FOURNIER,  
Diane  
Serial No.: 10/520,904  
Filed: November 27, 2002  
Title: DEGRADATION OF CYCLIC NITRAMINES  
Group:  
Examiner:  
Attorney Ref.: PAT 789W-2 US

September 9, 2005

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window  
**Mail Stop MISSING PARTS**  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia  
22314  
U.S.A.

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts dated August 15, 2005, for which a response is due by **OCTOBER 15, 2005**, please find attached the Declaration and Power of Attorney appointing the practitioners at Customer No. 42534 as Applicants' Representatives in the above application. A copy of the Notice to File Missing Parts is enclosed.

**The Commissioner is hereby authorized to debit \$130.00 from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.**

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

09/09/2005 13:04 FAX 00000001 501593 10520904

09/09/2005 13:04 FAX 130.00 DA

**BEST AVAILABLE COPY**

We await confirmation of receipt of the enclosed document in due course.

Respectfully submitted,

Jalal HAWARI et al.

By: 

Dennis R. Haszko  
Reg. No. 39,575  
Borden Ladner Gervais LLP  
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E-mail: [ipinfo@blgcanada.com](mailto:ipinfo@blgcanada.com)

DLC/DRH/JLD/jld

Encls.

1. Declaration and Power of Attorney
2. Copy of Notice

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130.00**Complete if Known**

Application Number	10/520,904
Filing Date	November 27, 2002 (Int'l Filing Date)
First Named Inventor	Jalal HAWARI et al.
Examiner Name	
Art Unit	
Attorney Docket No.	PAT 789W-2

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 501593 Deposit Account Name: Borden Ladner Gervais LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

under 37 CFR 1.16 and 1.17  
**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

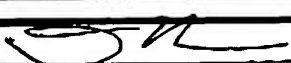
Non-English Specification, \$130 fee (no small entity discount)

Other: Late Filing of Oath or Declaration

130.00

**SUBMITTED BY**

Signature

Registration No. 39,575  
(Attorney/Agent)

Telephone 613-237-5160

Name (Print/Type)

Dennis R. Haszko

Date September 9, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,904	Jalal Hawari	PAT 789W-2

INTERNATIONAL APPLICATION NO.
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PCT/CA02/01799

IA. FILING DATE	PRIORITY DATE
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11/27/2002

07/12/2002

42534

BORDEN LADNER GERVAIS LLP  
 1100-100 QUEEN ST  
 OTTAWA, ON K1P 1J9  
 CANADA

CONFIRMATION NO. 4810  
 371 FORMALITIES LETTER  
 \*OC000000016775035\*  
 \*OC000000016775035\*

Date Mailed: 08/15/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/11/2005
- Copy of the International Search Report filed on 01/11/2005
- Request for Immediate Examination filed on 01/11/2005
- U.S. Basic National Fees filed on 01/11/2005
- Priority Documents filed on 01/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,**

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,904	PCT/CA02/01799	PAT 789W-2

FORM PCT/DO/EO/905 (371 Formalities Notice)